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October 25, 2016

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: Notice of Ex Parte Communication, WC Docket Nos. 10-90,
14-58 and 14-259

Dear Secretary Dortch:

On October 21, 2016, the undersigned, along with Jeffrey S. Nordhaus, Executive Vice President, Innovation & Broadband, Empire State Development (“ESD”), met with Claude Aiken, Commissioner Mignon Clyburn’s legal advisor, to discuss the recent Petition for Expedited Waiver ESD submitted in the above-referenced proceedings.

Mr. Nordhaus stated that grant of the Petition would align the federal and state broadband funding processes in New York, which would ensure the rapid deployment of broadband services in many unserved communities. Mr. Nordhaus also maintained that many of the affected New York communities are in low-income and tribal areas that would not receive broadband services for some time absent the waiver. Finally, I noted that good cause exists for grant of the waiver due to the unique nature of New York’s broadband funding program and that it would facilitate the efficient use of Connect America Fund (“CAF”) resources.

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Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/

John M. Beahn

Counsel to Empire State Development

cc: Claude Aiken